

# **AMADOR COUNTY**

## **IHSS PROGRAM ANTI-FRAUD AND PROGRAM INTEGRITY PLAN**



**November 1, 2009**

## **Background**

The In-Home Supportive Services (IHSS) Program has been identified as one which is highly susceptible to fraud on the part of recipients and providers alike. California approved IHSS Quality Assurance as an element of the 2004/2005 State Budget in an effort to improve the accuracy of benefits and detect potential fraud. The State's Budget Act of 2009 appropriated additional funds for the purpose of fraud detection, referral, and investigation, and further program integrity efforts in the IHSS Program. In order to participate in this additional funding, counties are required to submit a plan that delineates how the Department of Social Services will:

- 1) Identify overpayments and underpayments;
- 2) Determine the need for fraud investigation referrals and the appropriate agency to receive the referral;
- 3) Collaborate with the local District Attorney, the California Department of Health Care Services, and the California Department of Social Services;
- 4) Track and report outcomes to the CDSS;
- 5) Budget any funds allocated by the State;
- 6) Use current anti-fraud activities while developing new ones;
- 7) Integrate existing program integrity efforts;
- 8) Provide annual outcomes data to CDSS.

Amador County has chosen to participate in this program integrity process and submits this plan as required to receive funding.

## **IHSS Overpayments and Underpayments**

Amador County Department of Social Services actively seeks to ensure the accuracy of benefits issued to our clients. The IHSS program is recognized as highly susceptible to the occurrence of fraud. Social Workers assigned to manage the IHSS caseload are currently charged with identifying incorrect benefits as well as suspected fraud. In addition, incorrect benefits and suspected fraud are expected to be identified through the Quality Assurance program.

Historically, there has been no statistical tracking of overpayments and underpayments identified by Social Workers. Quality Assurance reviews to date have not revealed any incorrect benefits. In an effort to be more diligent with regard to identifying

overpayments and underpayments in the IHSS program, it is the intent of the Department to increase the number of cases randomly selected for review by Quality Assurance staff.

In order to maintain our current high level of accuracy, we will conduct Social Worker and QA staff training on the new provider enrollment requirements and regulations that require recipients be informed of their responsibilities. This training will focus on the anti-fraud components of the new regulations, thereby helping staff identify not only incorrect benefits but potential fraud as well.

### **Fraud Referrals and Outcomes**

Until recently, it has been the practice of this Department to refer cases of suspected IHSS fraud directly to the local District Attorney. Now that a DHCS investigator works in-house 2 days per week, we have begun routing such referrals to him. Social Workers and Quality Assurance staff will receive training that addresses how DHCS, DSS, and the local District Attorney may work together in the investigation of IHSS fraud. It is anticipated that more than one agency will be involved in any investigation; for instance, DHCS will investigate possible Medi-Cal overpayments while the local District Attorney will investigate and prosecute criminal acts such as forgery and perjury. These two agencies will work together with staff from DSS and to ensure thorough investigation and sharing of information.

### **Collaboration and Partnerships with the Office of the District Attorney**

Amador County Department of Social Services currently enjoys a remarkable working relationship with the District Attorney. Until the current fiscal year, we provided permanent office space for a District Attorney investigator, equipped with a telephone and computer systems that allowed access to information necessary for successful investigations. Due to budgetary constraints this arrangement was terminated 6/30/09, and the investigator is not currently assigned full-time to the Department of Social Services. Funding received for IHSS anti-fraud activities will help the Department defray the expense of providing dedicated office space, telephone, and computer access for a District Attorney investigator, and provide funding to pay for investigator hours dedicated to IHSS program integrity.

### **Collaboration with DHCS and CDSS**

At present, an investigator from DHCS has a dedicated work area in this Department with computer access. While the investigator is not here full-time, he is available for consultation with staff by telephone and e-mail. In addition, he and the assigned District

Attorney investigator have already established a cooperative working relationship. It is expected that these professionals will continue to consult with DSS as needed. Any referrals to DHCS or the District Attorney will be tracked and monitored by IHSS Quality Assurance staff.

### **Tracking and Reporting**

Amador County will track all referrals made for investigation of suspected fraud, as well as tracking IHSS overpayments and underpayments discovered through any means. We commit to having statistical information available to report outcomes to CDSS by August 1<sup>st</sup> each year as required. IHSS Quality Assurance staff will be responsible for such tracking and reporting. Amador County also agrees to submit a plan update annually by June 1<sup>st</sup>.

### **Current and Proposed Anti-Fraud Activities**

Our current fraud detection activities rely on Social Worker observation of unusual circumstances as well as discoveries made by the Quality Assurance staff. Prevention activities consist of regular reminders to IHSS recipients and providers alike of their responsibility to report changes. It is the intent of Amador County Social Services to increase the number of cases reviewed through the Quality Assurance process which will help ensure continued accuracy in our casework as well as more frequent contact with recipients and providers. The Quality Assurance staff will conduct more unannounced home visits.

Additionally, a committee will be established to identify case criteria that, if found to exist, will result in a mandatory referral for investigation of potential fraud. The committee will consist of the Deputy Director of Social Service Programs, two IHSS Social Workers, IHSS Quality Assurance staff, and a District Attorney Investigator.

### **Proposed Budget**

See Attachment

### **Integration with Other Program Integrity Efforts**

Amador County Department of Social Services supports an active IHSS Quality Assurance program effort. The staff assigned to that program will now assume additional responsibilities including initiation and tracking of fraud referrals, identification and tracking of overpayments and underpayments, and selecting cases for unannounced home

visits which will be done in accordance with program integrity changes authorized in the State Budget Act of 2009. QA staff will continue to work cooperatively with investigators from both DHCS and the local District Attorney.

Many people in our county use post office boxes for their mailing address. When a provider requests an exception to the new regulation that prohibits mailing provider checks to such an address, the District Attorney investigator will assist this Department in making a determination of the need for the exception. Since Social Workers and QA staff do not have law enforcement background, any questions about the results of criminal background checks for prospective providers will be referred to the District Attorney investigator for clarification.

IHSS Social Workers, Quality Assurance staff, and the District Attorney investigator will receive training that focuses on the new provider enrollment processes adopted in the State Budget Act of 2009 and regulations related to informing the recipient of his/her responsibilities, including possible penalties for failing to so.

### **Certification**

Amador County Department of Social Services certifies that activities outlined in this plan will commence within 60 days of receipt of funding.

## **IHSS PROGRAM INTEGRITY**

### **Proposed Annual Budget**

0.075 FTE District Attorney Investigator	\$ 12,124.32
0.05 IHSS QA Social Worker	5,991.49
Rent	1,500.00
Telephone	120.00
Office Supplies	<u>310.19</u>
	\$ 20,046.00

# Budget Justification

## Amador County's Fraud Funding Plan for FY 2009-10

Budget Section	Total
A. Personnel Costs (includes employee benefits)	\$ 13935.35
B. Operating Expenses	\$ 1886.91
C. Equipment Expenses	\$
D. Travel/Per Diem and Training	\$
E. Subcontracts and Consultants	\$
F. Other Costs	\$
G. Indirect Expenses	\$ 4223.74
<b>Total Expenses</b>	<b>\$ 20046.00</b>

A. Personnel Costs (including employee benefits)	Total Budget
<b>Title:</b> District Attorney Investigator 0.075 FTE <b>Salary Calculation:</b> 7.5% FY Salary (\$7071.53), 7.5% FY Benefits (\$2130.49) <b>Duties Description:</b> 3 hours per week dedicated to reviewing and investigating referrals of suspected IHSS fraud; work closely with the Public Authority and IHSS Social Workers, State Medi-Cal fraud investigator to identify and investigate IHSS fraud; write reports and refer for prosecution; testify as needed	\$ 9202.02
<b>Title:</b> Social Worker III <b>Salary Calculation:</b> 5% of FY Salary ( \$3059.68); 5% of FY Benefits (\$1673.65) <b>Duties Description:</b> 2 hours per week providing support (information and training) for DA investigator, tracking IHSS fraud referrals and outcomes for statistical reporting to State	\$ 4733.33
<b>Title:</b> <b>Salary Calculation:</b> <b>Duties Description:</b>	\$
<b>Title:</b> <b>Salary Calculation:</b> <b>Duties Description:</b>	\$
<b>Title:</b> <b>Salary Calculation:</b> <b>Duties Description:</b>	\$
<b>Title:</b> <b>Salary Calculation:</b> <b>Duties Description:</b>	\$

<b>E. Subcontracts and Consultants</b>	<b>Total Budget</b>
<b>Title:</b>	\$
<b>Description:</b>	
<b>Title:</b>	\$
<b>Description:</b>	
<b>Title:</b>	\$
<b>Description:</b>	
<b>Total Subcontracts and Consultants:</b>	<b>\$ 0</b>

<b>F. Other Costs</b>	<b>Total Budget</b>
<b>Title:</b>	\$
<b>Description:</b>	
<b>Title:</b>	\$
<b>Description:</b>	
<b>Title:</b>	\$
<b>Description:</b>	
<b>Title:</b>	\$
<b>Description:</b>	
<b>Title:</b>	\$
<b>Description:</b>	
<b>Total Other Costs:</b>	<b>\$ 0</b>

<b>G. Indirect Expenses</b>	<b>Total Budget</b>
<b>Title: District Attorney Charges</b>	<b>\$ 2785.69</b>
<b>Description: Charges from District Attorney for indirect expenses related to administration for investigator position.</b>	
<b>Title: Social Services Charges</b>	<b>\$ 1438.05</b>



Description: Administrative and operating expenses related to Social Worker III position	
Total Other Costs:	\$ 4223.74

**Enclosure B**

**COUNTY RESPONSE COVER PAGE – MUST BE FULLY COMPLETED AND  
SUBMITTED WITH PLAN AND DATA**

Amador County is requesting participation in the Enhanced Anti-Fraud Program  
and will submit a Plan and Data as described above, by November 1, 2009.

**Board of Supervisor Approval**

Approved on 11-24-09, 2009, by the County Board of Supervisors  
Name of Approver: THEODORE F. NOVELL, CHAIRMAN

Signature 

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